



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: PATENT APPLICATION of
Inventor(s) REID, et al.

Reissue Appln. No.: 09/451,321
(U.S. Patent No. 5,693,343)
Filed: November 30, 1999

Group Art Unit: 1614

Examiner: Craires, T.

Title: MICROPARTICLES CARRIERS OF MAXIMAL UPTAKE CAPACITY BY
BOTH M CELLS AND NON-M CELLS

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Date: August 22, 2000

AUG 28 2000

TECH CENTER 1600/2900

RESPONSE

Hon. Commissioner of Patents and Trademarks
Washington, DC 20231

Sir:

In response to the Office Action dated June 8, 2000, please enter the attached Declaration and consider the following remarks.

REMARKS

The Examiner has rejected claims 9-24 under 35 U.S.C. 251 and 37 CFR 1.175 based on an allegedly defective declaration. Applicants submit the attached declaration to expedite prosecution.

The attached Declaration sets forth a discussion why the claims should be broadened in greater detail than the originally filed Declaration for the Examiner's convenience. Applicants submit that all that is needed in a declaration for reissue is the identification of at least one error. Applicants pointed out in the originally submitted Declaration that the error was that patentees "claimed less than they had a right to claim." (see 35 U.S.C. 251) In addition, MPEP 1414, II, page 1400-13 of the July 1998 edition states:

"All that is needed for the oath/declaration statement as to error is the identification of 'at least one error' relied upon."

Further, 37 CFR 1.175(a)(1) states:

"The applicant believes the original patent to be wholly or partly inoperative or invalid by reason of ...patentee claiming more or less than the patentee had a right to claim in the patent, stating at least one error being relied upon as the basis for reissue;"